



97086/00049

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of
HERBERT WALTER et al.

Serial No. 10/505,389

Confirmation No. 7213

Filed: August 20, 2004

For: PROFILED RAIL AND ACCESSORIES
USED AS A SUSPENSION DEVICE

Group Art Unit: 2831

Examiner: Jinhee J. Lee

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Barbara J. Lee 8/25/2005
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Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, applicants and their attorney respectfully request that the following patents and patent publications be made of record in the official United States Patent and Trademark Office file relating to the above-identified patent application. The citation of the following patents and patent publications should not be construed as an admission that they constitute statutory prior art with respect to the present invention. In compliance with 37 C.F.R. § 1.98, copies of the foreign patent publications are enclosed.

U.S. Patent Nos.

3,753,209*
4,812,134*
4,817,538
5,485,933
6,631,813

08/30/2005 MBERHE 00000031 503571 10505389
01 FC:1806 180.00 DA

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Foreign Patent Publications

U.K. Patent Publication No. GB 2 224 923 A
European Patent No. EP 0 007 071 A1*
German Gebrauchsmuster No. DE 299 03 019
International Patent Publication No. WO 01/43599 A1*

Of the patents and patent publications listed above, U.K. Patent Publication No. GB 2 224 923 A is discussed on page 1 of the present application. Moreover, the above-listed patents and patent publications that are designated with an asterisk (“*”) were cited in an International Search Report issued in connection with applicants’ corresponding international patent application (i.e., International Patent Application No. PCT/CH03/00139). Attached hereto is a copy of the International Search Report which provides an indication as to the relevance of these references perceived by the European Patent Office.

With respect to U.S. Patent No. 6,631,813, applicants’ attorney notes that it corresponds to International Patent Application No. PCT/CH00/00618, which is owned by the assignee of the present application. International Patent Publication No. WO 01/43599 A1, which is the publication corresponding to International Patent Application No. PCT/CH00/00618, was cited in the attached International Search Report, and is also discussed on page 2 of the present application.

Concerning the remaining patents and patent publication, applicants’ attorney notes that all of them were listed on the face of U.S. Patent 6,631,813. The United States Patent and Trademark Office file relating to U.S. Patent No. 6,631,813 contains an indication concerning the relevance of these patents and patent publication.

In view of the foregoing, additional comments concerning the relevance of the patents and publications listed above are considered unnecessary. If the Examiner wishes to receive English-language translations of the foreign language patent publications cited above, applicants’ attorney stands ready to do so.

In order to facilitate the Examiner's citation of the patents and patent publications listed on the previous pages, applicants' attorney has completed United States Patent and Trademark Office Form PTO/SB/08A. The completed form is attached hereto for the Examiner's convenience.

It is noted that this Information Disclosure Statement is being submitted after the mailing of a first Office Action on the merits for the present application. Thus, the Examiner is hereby authorized to charge the \$180 fee set forth in 37 C.F.R. §1.17(p) to Deposit Account No. 503571. If any other fees are due as a result of the submission of this Information Disclosure Statement, the Examiner is hereby authorized to charge them to Deposit Account No. 503571.

Respectfully submitted,

McCARTER & ENGLISH, LLP



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Complete if Known

Application Number	10/505,389
Filing Date	August 20, 2004
First Named Inventor	Herbert Walter
Art Unit	2831
Examiner Name	Jinhee L. Lee
Attorney Docket Number	97086/00049

Sheet	1	of	1
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U. S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	† ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	MM-DD-YYYY			
	6	GB 2 224 923 A	05-23-1990	Metric Design Limited		
	7	EP 0 007 071 A1	01-23-1980	Rossmoller		
	8	DE 299 03 019 U1	06-17-1999	Fehlbaum & Co.		
	9	WO 01/43599 A1	06-21-2001	Vitrashop Patente AG		

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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